S.B.Cr.Misc. Bail App. No. 3335/2007
(Madan Lal Vaishnav Vs. State of Rajasthan)

Date of order : 19/7/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Mukesh Mehta for the petitioner.
Mr. Vishnu Kachhawaha Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the FIR.

It is contended by learned counsel for the petitioner that similarly situated co-accused Bhagirath has been released on bail by the Coordinate Bench of this Court vide order dated 13.7.2007. It is further contended that the petitioner has not been named in the FIR and no specific overt act has been assigned to the present petitioner.

Looking to the facts and circumstances of the case and the fact that the petitioner has not been named in the FIR and no overt act has been assigned to him as also co-accused Bhagirath @ Pintu has already been granted bail by Coordinate Bench of this Court, as also having considered the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Madan Lal Vaishnav S/o Anand Ram be released on bail in FIR No. 97/2007 P.S. Phalodi, district Jodhpur provided he executes a personal bond for a sum of

Rs.20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP